

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	CASE NO. 3:19-CR-00083-S
	§	
CAROLYN RENA DAVIS (2)	§	

SUPPLEMENT TO REPORT AND RECOMMENDATION
CONCERNING PLEA OF GUILTY

Pursuant to a referral from the District Court, the undersigned magistrate judge held a hearing in this case on March 29, 2019, to address the impact of the reciprocal discipline imposed against Mr. Scottie Allen, counsel for Defendant Carolyn Rena Davis. Ms. Davis appeared at the hearing, in person and through counsel, and the government appeared through an assistant United States Attorney.


Ms. Davis informed the Court that Mr. Allen had made her aware of the reciprocal discipline and the fact that he would be suspended from practice from April 1, 2019 to September 30, 2019. Accordingly, the Court considered the motion to permit Mr. Allen to withdraw [ECF No. 35], as well as the motion and amended motions to substitute Mr. Heath Harris as counsel for Ms. Davis [ECF No. 33, 34, 36]. The government did not oppose any of the motions, and Ms. Davis consented to Mr. Allen's withdrawal and Mr. Harris's substitution. Therefore, the Court GRANTED the motions and ORDERED: (1) Mr. Allen is withdrawn as counsel for Ms. Davis and is discharged from any further responsibilities in this case, and (2)

Mr. Harris is substituted as counsel for Ms. Davis and will represent her in this case going forward.

The Court further inquired into the knowing and voluntary nature of Ms. Davis's guilty plea, in view of the discipline that was pending against Mr. Allen at the time she negotiated her plea agreement and entered her plea of guilty. Counsel for the government stated the government's position is that Ms. Davis was effectively represented by a licensed attorney throughout the plea negotiation process and entry of her guilty plea. The government does not require any additional measures with respect to her plea. Ms. Davis confirmed that she is still satisfied with Mr. Allen's representation of her and that she did not want to change or withdraw her plea. Mr. Harris represented that he reviewed with Ms. Davis the plea agreement, the entry of the guilty plea, and the disciplinary matter against Mr. Allen; Mr. Harris is confident Ms. Davis's plea is knowing and voluntary.

Ms. Davis, Mr. Harris, and counsel for the government requested the Court accept the March 1, 2019 Report and Recommendation Concerning Plea of Guilty [ECF No. 21], accept Ms. Davis's plea of guilty, adjudge Ms. Davis guilty as provided in the Report and Recommendation, and impose a sentence accordingly.

March 29, 2019.



REBECCA RUTHERFORD
UNITED STATES MAGISTRATE JUDGE